

**HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 530 OF 1990.

Abubakar Mohammed Umar & Ors.

..Appellants.

Versus.

Mohammed Shaffs Haji Hassan & Ors.

..Respondents.

Smt. Geeta Shastri for the Appellant.

Shri. B. G. Vaidya for the respondent no.1.

Shri. G. T. Khilani, respondent no.2, in-person

**ALONG WITH
CROSS OBJECTIONS STAMP NO. 27720 OF 1990.**

G.T.Khilnani.

..Appellant.

Versus.

Mohmed Shafi & Others.

..Respondents.

CORAM: S.B.MHASE, J.

DATE : JULY 13, 2006.

P.C.

1. The appellant has filed memo duly signed by him and his advocate seeking leave to delete the respondent no.3. Memo is taken on record and marked "A" for identification. Leave is accordingly granted.

2. The appellant and respondent Nos. 1 & 2 have settled the matter amongst themselves and have filed on

record the consent terms. The appellant and the respondent nos. 1 & 2 are present. Advocates for the appellant No.1 and respondent no.1 are present. Respondent No.2 is present in person and he is identified by the Advocates and the appellant and respondent no.1. The consent terms tendered in the Court have been signed by the appellant and respondent nos. 1 & 2. The consent terms have also been signed by their concerned Advocates. This Court has ascertained from the parties as to whether they have understood the consent terms. The parties have replied that they have understood the same. In view of this, this Court finds that the consent terms have been arrived at voluntarily between the parties and therefore the consent terms are accepted and marked "X" for identification. First appeal is disposed of in terms of the consent terms. Office is directed to draw a decree in this First Appeal in substitution of the earlier decree passed by the subordinate court. The First Appeal, thus, stands disposed of.

3. The First Appeal is compromised and the consent terms have been recorded and have been accepted by this Court. On this background, the respondent no.2 who appears in person has filed cross-objections, has submitted a memo to this Court that he does not want to proceed with the cross-objections. He prayed for

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withdrawal and/or dismissal of the cross-objections. The
memo is taken on record and marked "Y" for
identification. In view of this memo filed by the
respondent no.2 in person, who is also an advocate by
profession, cross-objections are hereby disposed of as
withdrawn and/or dismissed for non prosecution.

(S.B.MHASE, J.)